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6 **UNITED STATES DISTRICT COURT**  
7 **WESTERN DISTRICT OF WASHINGTON**  
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 LINDSEY JOLEE WHITNEY,

13 Defendant.

NO. CR07-47-MJP

SUMMARY REPORT OF  
U.S. MAGISTRATE JUDGE AS  
TO ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE

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15 An evidentiary hearing on a petition for violation of supervised release in this case was  
16 scheduled before the undersigned Magistrate Judge on December 17, 2009. The United States  
17 was represented by Assistant United States Attorney Susan Dohrmann, and the defendant by  
18 Michael Filipovic. The proceedings were digitally recorded.

19 The defendant had been charged and convicted of Conspiracy to Distribute Ecstasy, in  
20 violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C). On or about June 13, 2008, defendant  
21 was sentenced by the Honorable Marsha J. Pechman to a term of three years probation.

22 The conditions of supervised release included the requirements that the defendant  
23 comply with all local, state, and federal laws, and with the standard conditions. Special  
24 conditions imposed included, but were not limited to, participation in a substance-abuse and  
25 mental health programs, financial disclosure, 100 hours of community service, search, drug  
26 testing, prohibition from alcohol, and obtain GED within 2 years.

1 On July 14, 2009, Defendant's probation was revoked by Judge Pechman and  
2 defendant was sentenced to 60 days in custody, to be followed by three years supervised  
3 release.

4 In a Petition for Warrant or Summons dated December 2, 2009, U.S. Probation Officer  
5 Angela M. McGlynn asserted the following violations by defendant of the conditions of her  
6 supervised release:

7 (1) Committing the crime of Driving While Under the Influence and Driving While  
8 License Suspended in the 3rd Degree on or about November 7, 2009, in violation of the special  
9 condition prohibiting the defendant from committing any new local, state, or federal crimes.

10 (2) Committing the crime of assault 4th Degree, malicious mischief in the 3rd  
11 degree, interfering with the reporting of a domestic violence incident, and violation of a  
12 protection order on or about December 1, 2009, in violation of the special condition prohibiting  
13 the defendant from committing any new local, state, or federal crimes.

14 (3) Consuming alcohol on or about November 7, 2009, and December 1, 2009, in  
15 violation of the special condition that prohibits the defendant from consuming alcohol.

16 (4) Failing to complete community service hours as instructed and agreed in  
17 violation of the special condition requiring the defendant to complete 100 community service  
18 hours.


19 (5) Failing to pay the \$100 special assessment as instructed and agreed in violation  
20 of the special condition requiring the defendant to pay the \$100 special assessment as directed  
21 by the probation officer.

22 On December 10, 2009, defendant made her initial appearance. The defendant was  
23 advised of the allegations and advised of her rights. On December 17, 2009, this matter came  
24 before the Court for an evidentiary hearing. Defendant admitted to violations 3, 4 and 5.  
25 Alleged violations 1 and 2 were dismissed without prejudice by the government.  
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1 I therefore recommend that the Court find the defendant to have violated the terms and  
2 conditions of her supervised release as alleged in violations 3, 4 and 5, and that the Court  
3 conduct a hearing limited to disposition. A disposition hearing on these violations has been set  
4 before the Honorable Marsha J. Pechman on January 7, 2010 at 1:30 p.m.

5 Pending a final determination by the Court, the defendant has been detained.

6 DATED this 17th day of December, 2009.

7   
8 JAMES P. DONOHUE  
9 United States Magistrate Judge

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12 cc: District Judge: Honorable Marsha J. Pechman  
13 AUSA: Susan Dohrmann  
14 Defendant's attorney: Michael Filipovic  
15 Probation officer: Angela M. McGlynn  
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